

**Little Traverse Bay Bands of Odawa Indians
Tribal Council Chambers
7500 Odawa Circle, Harbor Springs, MI 49740**

Tribal Council Regular Meeting
October 6, 2016

Call to Order: 9:10 a.m.

Opening ceremony: Beatrice A. Law

Closed Session: yes

Council Present: Legislative Leader Aaron Otto, Secretary Julie Shananaquet, Treasurer Marcella Reyes, Councilor Frank Bernard, Councilor Beatrice Law, Councilor Dexter McNamara

Absent: Councilor David Harrington, Councilor Michael Naganashe

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Legislative Office Manager Michele Portman-LaCount, Legislative Administrative Assistant Tamara Kiogima, General Counsel James Bransky

Executive Officials and Staff Present: Chairperson Gasco Bentley, Vice-Chair Stella Kay

Judicial Officials and Staff: Tribal Court Administrator Michael Wolf

Public: Douglas Emery, Andrew Stich, Judy Field

Invited Guest: Tribal Historic Preservation Officer Wesley Andrews

Dedication:

Motion made by Treasurer Reyes and supported by Councilor Law to dedicate this meeting in honor of those Tribal Citizens as noted that have walked on since August 18, 2016: Margaret Ann Mallory, Elizabeth Teresa Jordan, Vallere Pauline Yother.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Harrington, Councilor Naganashe)

Motion carried.

9:23 a.m. Councilor David Harrington arrives

Agenda:

Motion made by Councilor Beatrice Law and supported by Treasurer Marcella Reyes to approve the agenda of October 6, 2016, as amended.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Naganashe)

Motion carried.

Minutes:

1 Motion made by Councilor Law and supported by Treasurer Reyes to approve
2 the minutes of September 15, 2016, as corrected.

3 Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Naganashe)

4 Motion carried.

5
6 10:09 a.m. Councilor Michael Naganashe arrives

7
8 **9:30 a.m. Tribal Historic Preservation Officer (THPO) 3rd Quarter Report**

9 Motion made by Secretary Shananaquet and supported by Treasurer Reyes to
10 acknowledge the verbal 2016 3rd Quarter Tribal Historic Preservation Office
11 Report as presented by THPO Officer, Wesley Andrews on October 6, 2016.

12 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

13 Motion carried.

14
15 10:13 a.m. Break

16 10:29 a.m. Resume meeting

17
18 **10:30 a.m. Tribal Court Appellate Justice appointment as presented by**
19 **Michael Wolf, Tribal Court Administrator**

20 Per judicial rules involving conflict of interest.

21 Motion made by Councilor Law and supported by Treasurer Reyes to
22 acknowledge receipt of request for pro-tem appellate judge as presented by
23 Michael Wolf, Tribal Court Administrator.

24 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

25 Motion carried.

26
27 **Executive Report:**

28 Motion made by Secretary Shananaquet and supported by Councilor Harrington
29 to acknowledge receipt of the verbal and written 2016 September Executive
30 Oversight Report (EOR) as presented by Chairperson Gasco Bentley and Vice-
31 Chairperson Stella Kay on October 6, 2016.

32 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

33 Motion carried.

34
35 **Legislative Officer Reports:**

36
37 Legislative Leader Report

38 Discussion: Work on job Description for Tribal Council Finance and Revenue
39 Dept. Passing on Secretary Files.

40 Motion made by Secretary Shananaquet and supported by Treasurer Reyes to
41 acknowledge the verbal report of Legislative Leader Otto as presented on
42 October 6, 2016.

43 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

44 Motion carried.

45
46 **Public Comment:**

47 11:47 a.m. comment period opens

- Citizen Andrew Stich commented on delay in receipt of travel reports and appropriation of money for tribal land. Money needed for mental health issues.

12:00 p.m. comment period closes

12:00 p.m. Lunch Break

1:36 p.m. Meeting resumes

Secretary Report

i. Documents Delivered to Executive

Tribal Resolution- To Authorize Funding in the Amount of \$35,000 for Purchase of Parcel #97 to come from Reserved General Fund Balance-Supplemental Funding delivered to the Executive Department on 09-16-16 and signed on 09-16-16.

Tribal Resolution- To authorize Supplemental Funding in amount of \$90,000.00 for 2016 Funeral Assistance Fund to come from Reserved General Fund Balance-Supplemental Funding delivered to the Executive Department on 09-16-16 and signed on 09-16-16.

Tribal Resolution- To authorize Supplemental Funding in the Amount of \$52,000, for the Little Traverse Bay Bands of Odawa Indians Salt Shed to come from Reserved General Fund Balance-Supplemental Funding delivered to the Executive Department on 09-16-16 and signed on 09-16-16.

Tribal Resolution- To Appropriate Funding in the Amount of \$671,650.00 to the Min-A-Miskiki Gumik for a Tribal Pharmacy to come from IHS Fund Balance and 3rd Party Revenue Fund Balance delivered to the Executive Department on 09-16-16 and signed on 09-16-16.

ii. Vetoes: none

iii. Phone Polls: none

Motion made by Treasurer Reyes and supported by Councilor Law to accept Secretary Shananaquet's verbal and written as provided on agenda for October 6, 2016.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Public Comment

1:40 p.m. Comment period opens for Elder Comment

Citizen Judy Field complimented Human Services program and would like to see continued support for program.

1:43 p.m. Comment period closes

Treasurer Report

i. Appropriations and Finance Committee (AFC) Meeting Dates

-Last meeting September 6, 2016 at 1:00 p.m.

-Next meeting: October 7, 2016 at 1:00 p.m.

- ii. Phone Poll(s): none
 - iii. (Committee meeting recommendations)
- See report given on September 15, 2016.

Tribal Council Travel Reports:

Outstanding Travel Reports:

- Councilor Naganashe 4 reports

Secretary Shananaquet travel report

Motion made by Treasurer Reyes and supported by Councilor Harrington to acknowledge receipt of Secretary Shananaquet's verbal and written travel report for attendance at the Fighting Poverty in Indian Country-Grand Rapids, MI on September 22, 2016, as presented on October 6, 2016.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Treasurer Reyes travel report

Motion made by Secretary Julie Shananaquet and supported by Councilor Harrington to acknowledge receipt of the following written travel reports from Treasurer Reyes: May 11-16, 2014 Seed Keepers Workshop, August 11-15, 2014 Midwest Alliance of Sovereign Tribes (MAST)/National Indian Health Board (NIHB), August 24, 2014 Oneida Farm Visit, October 26-31, 2014 National Congress of American Indians (NCAI), December 8-11, 2014 Youth and Food Sovereignty Conference, January 22-24, 2015 Small Farm Conference, February 10-11, 2015 United Tribes Meeting, March 8-11, 2015 MAST, March 31-April 1, 2015 National Indian Gaming Association (NIGA), June 3-June 4, 2015 MAST, June 10-12, 2015 Legal and Local Food Promotion Grant Support, July 28-30, 2015 Michael Hughes Conference, September 23-24, 2015 United Tribes Meeting, October 18-25, 2015 NCAI, July 19-21, 2016 Partners In Action, and the verbal and written September 19-20, 2016 Native American Finance Officers Association, September 22, 2016 State Bar of Michigan Meeting/Indian Law Section Fighting Poverty in Indian Country, as presented on October 6, 2016.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Legislative Leader Otto travel report

Motion made by Councilor Law and supported by Councilor Naganashe to acknowledge the receipt of the following written travel reports from Legislative Leader Otto: May 11-15, 2014 National Indian Gaming Association, January 22-24, 2015 Northern Michigan Small Farm Conference, March 29-April 2, 2015 National Indian Gaming Association, and Marijuana Conference, April 26-May 2, 2015 Water Quality Training, October 18-24, 2015 NCAI, November 4-6, 2015 Tribal Nations Conference, January 27-28, 2016 Reservation Restoration, and July 11-14, 2016 FDPIR Meeting as presented on October 6, 2016.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

1 Motion carried.

2
3 **Councilor Naganashe travel report**

4 Motion made by Councilor Harrington and supported by Treasurer Reyes to
5 acknowledge receipt of Councilor Naganashe verbal travel report for attendance
6 the Fighting Poverty in Indian Country-Grand Rapids, MI on September 22, 2016,
7 as presented on October 6, 2016.

8 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

9 Motion carried.

10
11 **Action Items: (Motions)**

12 Motion made by Councilor Law and supported by Treasurer Reyes to appoint
13 Emily Proctor to fill the Tribal Council vacancy for a term ending in 2019 pending
14 receipt of a Financial Disclosure from the candidate and receipt of a clean LEIN
15 report from Tribal Law Enforcement.

16 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

17 Motion carried

18
19 Motion made by Councilor McNamara and supported by Councilor Harrington
20 to approve Councilor Law to attend the Intertribal Technical-Assistance Working
21 Group Meeting December 5, 2016 in Palm Springs, CA and to be reimbursed by
22 ITWG for costs and the annual DOJ consultation on violence against Native
23 Women, December 6, 2016.

24 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

25 Motion carried

26
27 Motion made by Councilor McNamara and supported by Councilor Harrington
28 to approve Tribal Council attendance to the Building Strong Sovereign Nations,
29 October 27, 2016 in Manistee, MI.

30 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

31 Motion carried

32
33 Motion made by Councilor Law and supported by Treasurer Reyes to cancel
34 Stephen John Minor's Disenrollment Hearing on February 2, 2016 due to his
35 relinquishment from the Sault Ste. Marie Tribe.

36 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

37 Motion carried

38
39 **2:44 p.m.** Councilor Harrington exits meeting

40
41 Motion made by Legislative Leader Otto and supported by Councilor Naganashe
42 to approve Enrollment List C-Voluntary Relinquishment dated October 6, 2016
43 for a total of 1.

44 Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington)

45 Motion carried

1 Motion made by Treasurer Reyes and supported by Councilor Law to
2 acknowledge receipt of the Odawa Gaming Enterprise Board (GEB) written
3 monthly Expenditures Report for August 2016 and the Odawa Casino Resort
4 written monthly Financial Report for October 6, 2016.

5 Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington)

6 Motion carried

7
8 Motion made by Councilor Law and supported by Treasurer Reyes
9 to approve Certified Motion #100616-01; National Congress of American Indian
10 (NCAI) Representative for LTBB.

11 Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington)

12 Motion carried

13
14 **2:54 p.m. Break**

15 **3:11 p.m. Meeting**

16
17 **Action Items: (Roll Call)**

18 Motion made by Secretary Shananaquet and supported by Councilor McNamara
19 to appoint as Pro Tem Appellate Justice Patrick Shannon for case no.: A-033-
20 0716.

21 Roll call vote: Councilor Bernard-yes, Councilor Harrington-absent, Councilor
22 Law-yes, Councilor McNamara-yes, Councilor Naganashe-yes, Councilor
23 Shananaquet-yes, Treasurer Reyes-yes, Legislative Leader Otto-yes
24 Motion carried.

25
26 **Tribal Council Committee Reports:**

27
28 Land and Reservation Committee

29 Meeting dates:

- 30 • Last meeting September 6, 2016 at 1:00 p.m.
31 • Next meeting: October 7, 2016 at 1:00 p.m. **Cancelled**

32
33 Ethics Committee

34 Meeting dates:

- 35 • Last meeting September 6, 2016 at 1:00 p.m.
36 • Next meeting: October 7, 2016 at 1:00 p.m.

37
38 i. (Committee meeting recommendations)

39 Committee Chairperson Law gave update on Legislation

40
41 Motion made by Legislative Leader Otto and supported by Councilor McNamara
42 to accept the verbal Ethics Committee Report as presented by Committee Chair
43 Law on October 6, 2016.

44 Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington)

45 Motion carried.

1 **Legislative Staff Reports:**

2
3 Sr. Financial Analyst Report

4 Position currently vacant.

5
6 Legislative Services Attorney Report

7 Motion made by Councilor Law and supported by Treasurer Reyes to accept
8 Legislative Services Attorney Donna Budnick's verbal and written report as
9 presented on October 6, 2016.

10 Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington)

11 Motion carried.

12
13 Public Comment

14 3:38 p.m. Public Comment opens

15 3:39 p.m. Public Comment closes

16
17 Enjiinaaknegeng Report

18 Motion made by Councilor McNamara and supported by Councilor Law to accept
19 Enjiinaaknegeng's verbal report as presented by General Counsel Bransky on
20 October 6, 2016

21 Vote: 7- Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington)

22 Motion carried.

23
24 Legislative Office Manager Report

25 Motion made by Councilor Law and supported by Treasurer Reyes to accept the
26 verbal and written report of Legislative Office Manager, Michele Portman-
27 LaCount as presented on October 6, 2016.

28 Vote: 7- Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington)

29 Motion carried.

30
31 **Tribal Council Member Reports:**

- 32 • ATBB AR-001: Backlog Reports. – Secretary Shananaquet

33
34 Motion made by Secretary Shananaquet and supported by Treasurer Reyes to
35 authorize Legislative Leader Otto to sign letter dated October 6, 2016 to the
36 Judicial Branch requesting ATBB AR-001: Backlog Reports.

37 Vote: 7- Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington)

38 Motion carried.

39
40 **Other Items of Business:**

41 Closed Session

42
43 **4:02 p.m.** Motion made by Councilor McNamara and supported by Treasurer
44 Reyes to go into closed session for Confidential Business Matters.

45 Vote: 7- Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington)

46 Motion carried.

1 **4:09 p.m.** Motion made by Councilor Law and supported by Legislative Leader
2 Otto to return to open session.

3 Vote: 7- Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington)

4 Motion carried..

5
6 **Adjournment:**

7 **4:17 p.m.** Motion made by Councilor McNamara and supported by Councilor
8 Naganashe to adjourn.

9 Vote: 7- Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington)

10 Motion carried.

11
12 Next Tribal Council Meeting
13 Regular: October 20, 2016
14

15 Please contact the Legislative Office at 231-242-1403, or 231-242-1404 for
16 additional updates and clarifications of these minutes as presented.

17
18 These Minutes have been read and approved as written (or) corrected: (delete
19 either the word “written” or “corrected” as pertains to how the minutes were
20 approved.)
21
22

23
24 _____
25 Julie Shananaquet, Tribal Council Secretary

Date